

Notice of Allowability

Application No.

10/647,169

Examiner

Helene Klemanski

Applicant(s)

NAKAJIMA ET AL.

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed June 2, 2005.
2. ☒ The allowed claim(s) is/are 11-32.
3. ☒ The drawings filed on 21 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

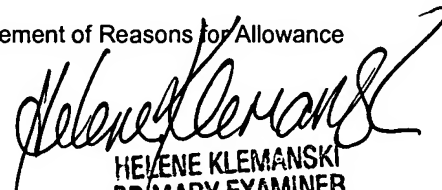
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/4/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


HELENE KLEMANSKI
PRIMARY EXAMINER
GROUP 1100

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: This application teaches a method for forming an image comprising the steps of (a) jetting a droplet of a photocurable ink comprising an oxetane compound having a substituent in the 2-position from an ink-jet head onto a recording material and (b) irradiating the jetted droplet on the ink with an active ray wherein (1) an amount of an energy input to an exposure light source for supplying the active ray is 0.1 to 50 W/cm or (2) the irradiating step is carried out between 0.001 and 2.0 seconds after the jetted droplet of the ink reaches the recording material. The closest prior art of record is U.S. Patent No. 6,846,074, issued to Hirai, which teaches a similar ink jet printing process using a photocurable ink containing a oxetane compound but fails to teach or fairly suggest a photocurable ink containing an oxetane compound having a substituent in the 2-position as claimed by applicants. Therefore, the only possible rejection over the Hirai reference would be based on 35 USC 103 however, applicants have perfected their priority by filing certified English translations of their foreign priority documents. Accordingly, applicants get the benefit of the foreign priority date, which is August 30, 2002. The filing date of Hirai is June 2, 2003, therefore, Hirai is not available as a reference. The only remaining rejections in the application are provisional obviousness double patenting rejections over copending application SN's 10/647,170, 10/ 853,897, 10/826,059, 10/861572 and 10/648,579. As per MPEP 804, the examiner is withdrawing the above provisional obviousness double patenting rejections and passing the application to issue.

Information Disclosure Statement

The references cited in the Search Report dated February 12, 2004 have been considered.

Applicants should note that the examiner is sending an initialed copy of the IDS filed March 4, 2004 since it was inadvertently left out of the previous Office Action dated March 11, 2005.

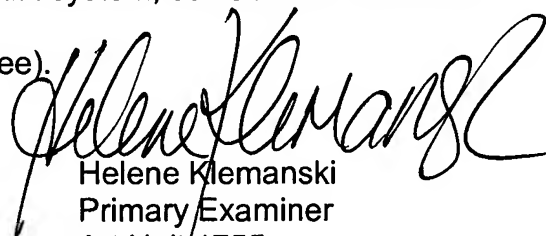
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Helene Klemanski
Primary Examiner
Art Unit 1755



HK
August 10, 2005